

Executive Registry

76-00-06

8 January 1976

The President
The White House
Washington, D. C. 20500

Dear Mr. President:

Preparatory to your meeting on 10 January to discuss the Intelligence Community, I would like to proffer several general observations. Separately I have submitted to Jack Marsh specific recommendations with respect to the different issues that will be under consideration.

The Intelligence Community has been under attack for real, exaggerated and alleged abuses. The lessons of the year can, I believe, be summed up in the need for better guidelines, better supervision and better secrecy.

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A draft Executive Order has been developed which in my view will provide better guidelines to ensure that the intelligence agencies remain within proper limits in their operations in the United States. To these might be added a few restrictions on activities abroad,

but I believe there is little sentiment for any very sweeping limitations on the Community's activities abroad.

With respect to better supervision, various proposals have been made with regard to the organization of the Community, and especially of the role of the Director of Central Intelligence. On the Congressional side, consideration has been given to improvements in the Congressional oversight procedure through standing committees, GAO audit, etc. There has been some tendency for the need for better supervision to spill over into extensive recommendations for organizational and bureaucratic changes.

The question of better secrecy is of course a most contentious subject. Some decry the secrecy of the past and call for greater openness. Others point to the serious damage being done to our country by

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the extensive exposure of intelligence matters, leading to the frustration of our foreign policy and danger to our officers.

In this situation, I make the following recommendations:

a. That, to provide better guidelines, you proceed to issue the draft Executive Order placing restrictions on the domestic activities of our intelligence agencies, that you indicate support of legislation against assassinations and that you direct the revision and issuance of National Security Council Intelligence Directives to provide specific charters for the intelligence agencies and their interrelationships. I recommend, however, that there be minimum change in statutory charters pending development of draft legislation by the Select Committees, which you may then consider on its merits.

b. That, to provide better supervision, you charge the Director of Central Intelligence, in a document addressed to Ambassador Bush on his swearing-in, with vigorous supervision of the activities of the Community and review of the propriety as well as the effectiveness of its operations. I recommend also that you request the Congress to consolidate in some form, such as a joint or separate standing committee, its supervision of our intelligence activities, thus improving the effectiveness of such supervision and ending the proliferation of supervisors. I recommend against any substantial modification in the organizational structure of the Intelligence Community at this time, prior to the appearance of Congressional recommendations, in an election year, and before Ambassador Bush, as well as the new Secretary of Defense and the new Deputy Secretary, have an opportunity to make their considered recommendations on this subject. Sweeping bureaucratic change would in my view be considered heavily cosmetic, would create substantial turbulence in the Community, and is not what the investigations were really all about.

c. With respect to better secrecy, I recommend the early submission to Congress of the draft legislation better to protect intelligence sources and methods, which I have recently submitted

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to the OMB. I also suggest that strong recommendations be made to the leadership of the Congress to establish some system for the orderly handling and protection of secrets made available to it. Lastly, I recommend that a new effort be made to articulate a better system of protection of classified information within the Executive Branch.

The subject of covert action requires particular attention, as it has been and remains the main topic of Congressional interest. On this question, I recommend a clear amendment to the National Security Act of 1947 authorizing such action and providing that a single Congressional committee be advised of the initiation of any such operation. I believe it essential to terminate the present procedure of briefing six committees, which has led immediately to vast leakage and great injury to our foreign policy. I believe it appropriate at the same time to call upon the Congress to state clearly its approval of the continuation of such activity, and to see whether the Congress really wants to assume the responsibility of prior approval of such operations. I believe the present system of Executive Branch decision and merely advising a Congressional committee will be the outcome.

Respectfully,

/s/

W. E. Colby
Director

WEC:blp

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